

DANIEL G. BOGDEN  
United States Attorney  
ELHAM ROOHANI  
Assistant United States Attorney  
501 Las Vegas Boulevard South, Suite 1100  
Las Vegas, Nevada 89101  
PHONE: (702) 388-6336  
FAX: (702) 388-6418

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

**-oOo-**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAN ROUVEN FUECHTENER,

Defendant.

2:16-cr-100-GMN-CWH

NOTICE OF EXPERT TESTIMONY

**CERTIFICATION:** This notice is timely filed.

The United States of America, by and through its attorneys, DANIEL G. BOGDEN, United States Attorney, ELHAM ROOHANI, Assistant United States Attorney, hereby gives notice of intent to call an expert witness regarding computer forensic analysis, forensic examinations of digital devices, file deletion, forensic recovery techniques, and other computer related issues related to several digital devices at issue in this case.

**SUMMARY OF EXPERT WITNESS OPINION & QUALIFICATIONS**

Pursuant to Rule 16(a)(1)(G) of the Federal Rules of Criminal Procedure, the Government gives notice of its intent to call as an expert witness at trial: Computer Forensic Examiner Thomas M. Radke. Computer Forensic Examiner Radke is trained in investigating and analyzing digital devices. Pursuant to Rule 702 of the Federal Rules of Evidence, the Government intends to call the Computer Forensic Examiner Radke to provide lay witness testimony regarding the investigation

1 and subsequent evidentiary findings in this case. Computer Forensic Examiner Radke also  
2 conducted the digital forensic examinations of the digital devices recovered in this case. As such,  
3 Computer Forensic Examiner Radke's testimony will include general computer forensics, file  
4 deletion and forensic recovery techniques, peer-to-peer file sharing networks, on-line distribution  
5 and sharing of child pornography, and other computer issues related to on-line child pornography  
6 investigations. Computer Forensic Examiner Radke is also expected to provide expert testimony  
7 and explanations regarding the process for downloading peer-to-peer file sharing programs, the set-  
8 up process, the sharing capabilities and other aspects of these programs that will assist the jury in  
9 understanding the computer technology at issue in this matter and how the defendant distributed and  
10 received the child pornography. Computer Forensic Examiner Radke will testify about the findings  
11 of what was recovered on the devices that Computer Forensic Examiner Radke examined. This  
12 information will assist the jury in understanding the computer technology at issue in this matter and  
13 how the defendant digital devices provide evidence of the defendant's illegal conduct in this case.

14 Computer Forensic Examiner Radke's reports have previously been provided, and all of the  
15 electronic devices seized from the Defendant and examined have been made available to defense  
16 counsel. Computer Forensic Examiner Radke curriculum vitae is attached as Exhibit A.

17 Accordingly, the Government provides notice of its intent to call Computer Forensic  
18 Examiner Radke as an expert witness in the Government's case-in-chief.

19  
20 DATED this 13th day of May, 2016.

21 Respectfully submitted,

22 DANIEL G. BOGDEN  
23 United States Attorney

//s//

24 ELHAM ROOHANI  
Assistant United States Attorney

**CERTIFICATE OF SERVICE**

I, Elham Roohani, certify that defense counsel was served with a copy of the  
GOVERNMENT'S NOTICE OF EXPERT TESTIMONY on this date by the below identified  
method of service:

Jess Marchese, Esq.  
Michael Sanft, Esq.  
Counsel for the Defendant

*Electronic Case Filing*

DATE: May 13, 2016

//s//

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ELHAM ROOHANI  
Assistant United States Attorney